

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SUET F. WONG,

Plaintiff,

vs.

COUNTRYWIDE HOME LOANS, INC., et al.,

Defendants.

Case No. 2:16-cv-01012-JCM-CWH

ORDER

On August 30, 2016, the court held a show cause hearing regarding Plaintiff Suet F. Wong's failure to comply with various court orders. The court ordered Plaintiff Wong to pay \$230.00 to Defendant Countrywide Home Loans, Inc. and \$250.00 to Defendant MCM Capital Partners, which represents one hour of attorney's fees for each defendant, as a sanction for her failure to appear at the discovery scheduling conference that was held on July 22, 2016. The court further ordered that the \$480.00 sanction must be paid to defendants at the conclusion of this case.

Mr. Phuoz Tran, who is Plaintiff Wong's cousin, also appeared at the show cause hearing. Mr. Tran admitted on the record that he misrepresented himself to be Plaintiff Wong to the court and to Defendants' attorneys at the discovery scheduling conference on July 22, 2016. Given this misrepresentation, the court held Mr. Tran in contempt of court and ordered him to pay attorney's fees to Defendants' attorneys as a sanction for his misrepresentation, which wasted both the court and Defendants' attorneys' time and resources. In reviewing the docket, it came to the court's attention that the order setting the show cause hearing did not inform Mr. Tran that he may be subject to sanctions. Given this lack of notice, the court finds that this sanction was in error and will vacate its order sanctioning Mr. Tran. *See City of Los Angeles, Harbor Div. v. Santa Monica Baykeeper*, 254 F.3d 882, 885 (9th Cir. 2001) (stating that "[a]s long as a district court has

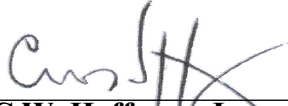
1 jurisdiction over the case, then it possesses the inherent procedural power to reconsider, rescind, or
2 modify an interlocutory order for cause seen by it to be sufficient.” (quotation omitted)).

3 IT IS THEREFORE ORDERED that the court’s order sanctioning Mr. Phuoz Tran in the
4 amount of \$480.00 is VACATED, which means that Mr. Tran no longer needs to pay \$480.00 to
5 defendants. Mr. Tran is advised, however, that he must not appear on Plaintiff Wong’s behalf or on
6 behalf of anyone besides himself, unless Mr. Tran has been admitted to the State Bar of Nevada
7 and to the bar of this court. Mr. Tran further is advised that he must not misrepresent his identity to
8 the court. Failure to comply with this order will result in sanctions under Local Rule IA 11-8.

9 IT IS FURTHER ORDERED that the Clerk of Court must serve a copy of this order on Mr.
10 Tran via U.S. Mail at the following address:

11 Phuoz Tran
12 5402 Night Swim Lane
13 Las Vegas, Nevada 89113

14 DATED: August 31, 2016

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16 C.W. Hoffman, Jr.
17 United States Magistrate Judge
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